



**Environmental  
Protection Agency**

John R. Kasich, **Governor**  
Mary Taylor, **Lt. Governor**  
Scott J. Nally, **Director**

Re: Charlie's Auto Repair  
Complaint #3124  
Allen County  
OHR000166678  
Hazardous Waste  
**Return to Compliance**

August 27, 2012

Mr. Charlton Fuqua  
Charlie's Auto Repair  
207 Watt Avenue  
Lima, Ohio 45801

Dear Mr. Fuqua:

Thank you for your August 7, 2012, response to Ohio EPA's May 29, 2012, 2<sup>nd</sup> Notice of Violation/Partial Return to Compliance (NOV/PRTC) letter. Charlie's Auto Repair provided used oil information via the telephone. Based upon the information you provided during our telephone conversation, Charlie's Auto Repair has adequately demonstrated abatement of the violations cited in the January 5, 2012, NOV/PRTC.

The following is a summary of the violations cited in the January 5, 2012, NOV/PRTC as a result of Ohio EPA's December 15, 2011, complaint investigation and your compliance with respect to each:

**1. OAC Rule 3745-279-22(C)(1), Labeling:**

Containers, aboveground tanks, and fill pipes used for underground storage tanks shall be labeled or marked clearly with the words "used oil."

Charlie's Auto Repair had two (2) 30-gallon poly drums that were not properly labeled.

At the time of my inspection, Charlie's Auto Repair properly labeled the two (2) 30-gallon poly drums with the words "used oil".

***Therefore, this violation is considered abated.***

**2. OAC Rule 3745-279-24, Off-Site Shipment:**

Generators shall ensure that their used oil is transported only by transporters who have obtained an EPA identification number.

Charlie's Auto Repair has been giving the used oil they generated to Ray's Repair Shop in Delphos, Ohio, who is burning it in their on-site burner.

Charlie's Auto Repair must immediately cease giving used oil to any person or transporter who does not have an EPA identification number. Your used oil must be sent to a registered burner, or collection center. To abate this violation, Charlie's Auto Repair must notify Ohio EPA with how you plan to manage your used oil in the future and provide the applicable documentation for review. A list of used oil recyclers was given to you at the time of my investigation. In addition, Charlie's Auto Repair may want to consider recycling the used oil filters rather than managing them as a solid waste. A list of used oil filter recyclers was also given to you at the time of my investigation.

On February 10, 2012, I spoke with you regarding your plans to manage your used oil. You stated that you had contacted Putnam Oil and they would be picking up your used oil for recycling. To date, you have not provided a copy of the receipt or documentation to show that the used oil has been properly managed.

On May 25, 2012, I spoke with Mr. Bob Gerten who is the owner of Putnam Oil. Putnam Oil does not have an EPA ID # and they do not plan to pick up the used oil from your business. I've included another list of used oil recyclers to assist you in properly managing your used oil. Charlie's Auto Repair must submit information to document where your used oil was shipped for recycling.

**On August 7, 2012, I spoke with you regarding the status of your used oil. You stated that you have approximately 40 gallons of used oil at your facility. You then stated that you were going to wait until you have a full drum of used oil before contacting a used oil recycler off the list I provided to you. You stated that when the full drum of used oil is shipped off-site to be recycled, a copy of the receipt will be sent to the Ohio EPA. Your compliance with the used oil regulations may be verified during a future unannounced inspection.**

***With this information, this violation has been abated.***

Mr. Charlton Fuqua  
August 27, 2012  
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Ohio EPA has helpful information about compliance assistance and pollution prevention at the following web address: <http://www.epa.ohio.gov/ocapp>. In addition, you can find copies of the rules and other information on the division's web page at: <http://www.epa.ohio.gov/dhwm/>.

If you have any questions, please contact me by telephone at (419) 373-3066 or by e-mail at [melissa.boyers@epa.ohio.gov](mailto:melissa.boyers@epa.ohio.gov).

Sincerely,



Melissa L. Boyers  
Division of Materials & Waste Management

/llr

pc: Cindy Lohrbach, DMWM, NWDO  
    \Colleen Weaver, DMWM, NWDO

ec: Colleen Weaver, DMWM, NWDO (scanned e-copy)  
    Melissa Boyers, DMWM, NWDO

**Notice:**

Ohio's EPA's failure to list specific deficiencies or violations in this letter does not relieve your company from having to comply with all applicable regulations.